

APPEAL NO. 041174
FILED JULY 12, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on May 3, 2004. The hearing officer resolved the disputed issue by determining that the appellant (claimant) sustained a compensable right shoulder strain and left knee strain on _____. The claimant asserts on appeal that the hearing officer erred by identifying the nature of the compensable injury and by deciding an additional issue that was not before him. The appeal file contains no response from the respondent (self-insured).

DECISION

Affirmed.

The claimant asserts that the hearing officer erred in making a “finding of an issue not before [him].” Specifically, the claimant objects to the statement in the Background Information portion of the decision wherein the hearing officer stated “The claimant’s reliance on his attorney also caused the reporting of the claimed injury of February 4, 2003, to be delayed until late March.” As this statement is germane to the issue in Docket No. (Docket No. 1), and not to the issue in (Docket No. 2)¹, this argument was addressed in the appeal (Texas Workers’ Compensation Commission Appeal No. 041147, decided July 8, 2004), corresponding to Docket No. 1.

The claimant argues that the hearing officer erred by defining the nature of the compensable injury. However, as previously explained, two dockets, each alleging separate injuries, were consolidated for hearing purposes. Because of this, we cannot agree that the hearing officer erred in identifying the nature of the compensable injury in an effort to differentiate it from the injury alleged in Docket No. 1.

¹ Both dockets were consolidated for hearing purposes, with separate decisions and orders issued for each docket.

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**EXECUTIVE DIRECTOR
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Chris Cowan
Appeals Judge

CONCUR:

Daniel R. Barry
Appeals Judge

Margaret L. Turner
Appeals Judge